

since they represented and suggested that the article was prepared from chocolate made in Switzerland, whereas it had been prepared from chocolate of domestic manufacture.

DISPOSITION: July 2, 1951. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution after the labels had been destroyed and the product had been inspected by the Food and Drug Administration to determine whether it was, at the time, fit for human consumption.

CEREALS AND CEREAL PRODUCTS

FLOUR

17608. Adulteration and misbranding of flour. U. S. v. Packard Milling Co., a corporation, and Frank A. Gyles and Wilson Gyles. Pleas of nolo contendere. Corporation fined \$275; each individual defendant fined \$5. (F. D. C. No. 30103. Sample Nos. 88325-K to 88327-K, incl.)

INFORMATION FILED: April 10, 1951, Northern District of Texas, against the Packard Milling Co., a corporation, Hereford, Tex., and Frank A. Gyles and Wilson Gyles, president and vice president, respectively, of the corporation.

ALLEGED SHIPMENT: On or about October 12, 1950, from the State of Texas into the State of New Mexico.

LABEL, IN PART: "50 Lbs. Net Cream Loaf Flour Enriched 8 Oz. enriched flour contains not less than the following proportions of the minimum daily requirements of: Thiamine 100%," "5 Lbs. Net Texas Wonder Whole Wheat Flour," or "2 Lbs. Net Packard's Best Flour Enriched Extra High Patent."

NATURE OF CHARGE: Adulteration (Cream Loaf flour enriched and Texas Wonder whole wheat flour), Section 402 (a) (3), the products consisted in part of filthy substances by reason of the presence of insect fragments, live insects, rodent hairs and fragments, live beetles, larvae, larval head capsules, pupae, and dead beetles; and (all lots), Section 402 (a) (4), the products had been prepared, packed, and held under insanitary conditions whereby they may have become contaminated with filth.

Misbranding (Cream Loaf flour enriched and Packard's Best flour enriched), Section 403 (g) (1), the products failed to conform to the definition and standard for enriched flour since they contained in each pound less than 2.0 milligrams of thiamine, the minimum permitted by the standard.

DISPOSITION: June 18, 1951. Pleas of nolo contendere having been entered, the court imposed a fine of \$275 against the corporation and a fine of \$5 against each individual defendant.

17609. Adulteration of flour. U. S. v. 78 Bags * * *. (F. D. C. No. 31012. Sample No. 13612-L.)

LIBEL FILED: May 24, 1951, District of Idaho.

ALLEGED SHIPMENT: On or about March 19 and April 27, 1951, from Ogden, Utah.

PRODUCT: 78 50-pound bags of flour at Pocatello, Idaho, in possession of Zion's Wholesale Grocery Co.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent excreta and rodent urine; and, Section 402 (a) (4), it had been held under